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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/911,351	07/23/2001	Garibaldi	5236-000259

**CONFIRMATION NO. 3404**  
**FORMALITIES LETTER**

Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, MI 63105



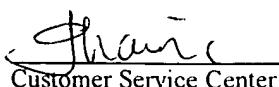
Date Mailed: 09/14/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 420.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/05/2002 SSESHE1 00000051 09911351  
01 FC:201  
02 FT:205

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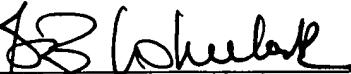
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5236-000259



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF MAILING UNDER 37 CFR §1.10**

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this 28<sup>th</sup> day of December, 2001 in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231.

  
\_\_\_\_\_  
Bryan K. Wheelock, Reg. No. 31,441

In re the Application of: Garibaldi et al. :

Serial No.: 09/911,351 :

Filed: July 23, 2001 :

For: Magnetically Navigated Pacing Leads and  
Methods for Delivering Medical Devices :

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

**LETTER TO THE PATENT AND TRADEMARK OFFICE**

Sir:

In response to the Notice of File Missing Parts of Nonprovisional Application, Filing Date Granted, dated September 14, 2001 , a copy of which is attached, enclosed please find the following:

1. There is a fee owing of \$635.00 for the filing fee and late filing of declaration surcharge. Enclosed is our check for this amount;
2. Combined Declaration and Power of Attorney (3 pages);
3. Petition for Extension of Time.

Please file said Declaration and Power of Attorney.

Respectfully submitted,

  
\_\_\_\_\_  
Bryan K. Wheelock  
Reg. No. 31,441  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, Missouri 63105  
(314) 726-7500

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

OPIE APR 04 2002  
PATENT & TRADEMARK OFFICE  
COMMISSIONER PAPERS

ORIGINALLY STATED AMOUNT OF PAYMENT

(\$ 635)

**Complete If Known**

Application Number	09/911,351
Filing Date	July 23, 2001
First Named Inventor	Garibaldi et al.
Examiner Name	
Group / Art Unit	
Attorney Docket No.	5236-000259

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																									
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">08-0750</span></p> <p>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Harness, Dickey &amp; Pierce, P.L.C.</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<p><b>3. ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td>200</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - 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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																														

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Bryan K. Wheelock	Registration No. Attorney/Agent)	31,441	Telephone	314-726-7500
Signature	<i>Bryan K. Wheelock</i>			Date	28 December 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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A5

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 5236-000259
<b>COPY OF PAPERS ORIGINALLY FILED</b>	In re Application of Garibaldi et al.	
	Application Number 09/911,351	Filed July 23, 2001
	For Magnetically Navigated Pacing Leads and Methods for Delivering Medical Devices	
	Group Art Unit	Examiner

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows  
(check time period desired):

- |  |          |
|--|----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))             | \$ _____ |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$400.00 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))          | \$ _____ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))           | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))           | \$ _____ |

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 200.00.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-0750.

I have enclosed a duplicate copy of this sheet.

I am the  applicant/inventor.

- assignee of record of the entire interest. See 37 CFR 3.71  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- attorney or agent of record.
- attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 31,441.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

28 December 2001

Date

Signature

Bryan K. Wheelock

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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